IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5905 of 2007()

CMP.5637/2007 of J.M.F.C.-III,NEYYATTINKARA
C.R.NO.33/07 OF THIRUPURAM EXCISE RANGE

.....

: PETITIONER/ACCUSED

BABY, D/O DASAMMA, AGED 45,
KOTTAMPAZHANJI LAKSHAM VEEDU COLONY,
MELEVILAKOM, KAZHIVOOR DESOM,
KANJIRAMKULAM VILLAGE.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5905 of 2007

Dated this the 1st day of October, 2007

ORDER

Application for regular bail. The petitioner, a woman, faces allegations under the Kerala Abkari Act. She was allegedly found to be in possession of 2 litres of arrack on 25.07.07. The petitioner surrendered before the learned Magistrate on 6.9.07. She continues in custody from that date. The learned Public Prosecutor points out that the petitioner has five other earlier crimes, under the Kerala Abkari Act to her credit. All those are cases in which the petitioner was allegedly found to be in possession of small quantities of arrack, submits the learned Public Prosecutor .

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator may be given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 12.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make herself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 3 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-